

## THIRD DAY.

(Thursday, September 1, 1932.)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Minor.

The roll was called and the following members were present:

Mr. Speaker.	Hefley.
Adams of Harris.	Herzik.
Adams of Jasper.	Hill.
Adamson.	Hines.
Adkins.	Holland.
Akin.	Holloway.
Albritton.	Hoskins.
Alsup.	Howsley.
Anderson.	Hubbard.
Baker.	Hughes.
Barron.	Jackson.
Beck.	Johnson
Bedford.	of Dallam.
Bond.	Johnson
Bradley.	of Dimmit.
Brice.	Jones of Shelby.
Brooks.	Jones of Atascosa.
Bryant.	Justis.
Burns of Walker.	Kayton.
Burns	Keller.
of McCulloch.	Kennedy.
Carpenter.	Laird.
Caven.	Lasseter.
Claunch.	Lee.
Coltrin.	Lemens.
Coombes.	Leonard.
Cox of Lamar.	Lilley.
Cox of Limestone.	Lockhart.
Cunningham.	McCombs.
Dale.	McDougald.
Daniel.	McGill.
Davis.	McGregor.
Dodd.	Magee.
Donnell.	Martin.
Dowell.	Mathis.
Dunlap.	Mehl.
Duvall.	Metcalf.
Engelhard.	Moffett.
Farmer.	Moore.
Farrar.	Morse.
Ferguson.	Munson.
Finn.	Murphy.
Fisher.	Nicholson.
Forbes.	Olsen.
Ford.	Patterson.
Fuchs.	Petsch.
Gilbert.	Pope.
Giles.	Ramsey.
Goodman.	Ratliff.
Graves.	Ray.
Greathouse.	Reader.
Grogan.	Richardson.
Hanson.	Rogers.
Hardy.	Rountree.
Harman.	Sanders.
Harrison	Satterwhite.
of El Paso.	Savage.

Scott.	Terrell
Shelton.	of Val Verde.
Sherrill.	Towery.
Smith of Bastrop.	Turner.
Smith of Wood.	Van Zandt.
Sparkman.	Vaughan.
Stephens.	Wagstaff.
Stevenson.	Walker.
Steward.	Warwick.
Strong.	Weinert.
Sullivant.	West of Coryell.
Tarwater.	Wiggs.
Terrell	Wyatt
of Cherokee.	Young.

Absent.

Dwyer.	Westbrook.
West of Cameron.	

Absent—Excused.

Bounds.	Holder.
Boyd.	Long.
Elliott.	O'Quinn.
Harrison	
of Waller.	

A quorum was announced present.

Prayer was offered by the Rev. Jno. W. Holt, Chaplain.

LEAVES OF ABSENCE  
GRANTED.

The following members were granted leaves of absence on account of important business:

Mr. Boyd for today and tomorrow, on motion of Mr. Ratliff.

Mr. Elliott for today, on motion of Mr. Hefley.

Mr. Holder for today, on motion of Mrs. Strong.

HOUSE BILLS ON FIRST  
READING.

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mrs. Moore and Mr. Bedford:

H. B. No. 30, A bill to be entitled "An Act making an emergency appropriation out of the sand, shell and gravel fund of this State to pay certain refunds of the tax collected by the Game, Fish and Oyster Commission on shell used by the city of Texas City for constructing streets and roads, and declaring an emergency."

Referred to Committee on Appropriations.

By Mr. Savage:

H. B. No. 31, A bill to be entitled "An Act regulating fees of office in counties containing as many as three hundred thousand (300,000), and less than three hundred fifty thousand (350,000) inhabitants for each county officer, precinct officer and district clerk, and the district attorney, receiving fees of office for their services in every such county in the State of Texas; providing the amounts to be retained by said officers and the amounts to be paid to the county treasurer; providing the maximum amount that any officer may receive; providing for the payment of premium on officers' bond, necessary expenses of deputies and assistants as allowed and approved by the county commissioners court; providing exclusive authority to the commissioners court to determine as to what employes are needed, fix the compensation of all assistants, deputies, aides and employes of the county and/or of the county officers for the compensation of such assistants, deputies, aides and employes paid out of the county funds, etc."

Referred to Committee on State Affairs.

By Mr. Burns of McCulloch:

H. B. No. 32, A bill to be entitled "An Act amending paragraph 8 of Section 9 of Chapter 282 of the General Laws passed by the Regular Session of the Forty-second Legislature relative to the licensing of chauffeurs of trucks, and declaring an emergency."

Referred to Committee on Highways and Motor Traffic.

By Mr. Beck:

H. B. No. 33, A bill to be entitled "An Act to facilitate the efforts of water control and improvement districts (having powers under Section 59 of Article 16 of the Constitution of Texas, controlling works self-liquidating in character, and being eligible for relief under the provisions of the Act of Congress known as the 'Emergency Relief and Construction Act of 1932') to procure loans from the Reconstruction Finance Corporation, or from other sources, without distinction as to the facilities being self-liquidating; providing the manner in which such loans may be procured, how evidenced and how secured and paid; also, declaring an emergency."

Referred to Committee on Conservation and Reclamation.

By Mr. Jones of Atascosa:

H. B. No. 34, A bill to be entitled "An Act repealing Senate bill No. 56, Chapter 78, page 242, of the General and Special Laws passed at the Fifth Called Session of the Forty-first Legislature of the State of Texas, 1930."

Referred to Committee on Game and Fisheries.

#### MESSAGE FROM THE SENATE.

Senate Chamber,

Austin, Texas, September 1, 1932.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted

S. C. R. No. 2, Relating to mileage and per diem of the members of the Forty-second Legislature.

Respectfully,

BOB BARKER,

Secretary of the Senate.

#### IN REGARD TO DESIGNATING "TEXAS WEEK."

Mr. Keller offered a resolution designating a week to be known as "Texas week."

The resolution was read second time.

Mr. Anderson moved that further consideration of the resolution be postponed indefinitely.

Mr. Sullivant raised a point of order on further consideration of the resolution at this time, on the ground that the time for the consideration of resolutions has expired.

The Speaker sustained the point of order.

Mr. Anderson moved that the House rule which relates to the consideration of resolutions be suspended at this time for the purpose of further considering the resolution.

The motion prevailed.

Question recurring on the motion to postpone the resolution indefinitely, yeas and nays were demanded.

The motion prevailed by the following vote:

Yeas—71.

Adams of Jasper.	Akin.
Adamson.	Albritton.
Adkins.	Alsup.

Anderson.	Lockhart.
Baker.	McGill.
Beck.	Martin.
Bond.	Mathis.
Brice.	Mehl.
Bryant.	Moffett.
Dale.	Moore.
Daniel.	Munson.
Davis.	Nicholson.
Donnell.	Olsen.
Farmer.	Ramsey.
Farrar.	Ratliff.
Finn.	Ray.
Fisher.	Reader.
Forbes.	Richardson.
Fuchs.	Rogers.
Giles.	Rountree.
Goodman.	Scott.
Grogan.	Shelton.
Hanson.	Sparkman.
Hardy.	Sullivant.
Hefley.	Tarwater.
Herzik.	Terrell
Hill.	of Cherokee.
Holland.	Terrell
Hoskins.	of Val Verde.
Hughes.	Turner.
Jackson.	Van Zandt.
Johnson	Wagstaff.
of Dallam.	Walker.
Johnson	Warwick.
of Dimmit.	Weinert.
Jones of Shelby.	West of Coryell.
Kayton.	Wiggs.
Kennedy.	

## Nays—41.

Bradley.	Keller.
Burns of Walker.	Laird.
Burns	Lee.
of McCulloch.	Lilley.
Carpenter.	McCombs.
Claunch.	McDougald.
Coltrin.	Metcalfe.
Coombes.	Morse.
Cox of Lamar.	Murphy.
Cox of Limestone.	Petsch.
Cunningham.	Sanders.
Dodd.	Satterwhite.
Dowell.	Savage.
Duvall.	Smith of Bastrop.
Ferguson.	Smith of Wood.
Ford.	Stevenson.
Gilbert.	Strong.
Greathouse.	Towery.
Harrison	Vaughan.
of El Paso.	Wyatt.
Howsley.	Young.
Justiss.	

## Present—Not Voting.

Jones of Atascosa.

## Absent.

Adams of Harris.	Bedford.
Barron.	Brooks.

Caven.	Leonard.
Dunlap.	Magee.
Dwyer.	McGregor.
Engelhard.	Patterson.
Graves.	Pope.
Harman.	Sherrill.
Hines.	Stephens.
Holloway.	Steward.
Hubbard.	West of Cameron.
Lasseter.	Westbrook.
Lemens.	

## Absent—Excused.

Bounds.	Holder.
Boyd.	Long.
Elliott.	O'Quinn.
Harrison	
of Waller.	

On motion of Mr. Bryant the resolution was ordered not printed in the Journal.

HOUSE JOINT RESOLUTION NO.  
1 ON SECOND READING.

The Speaker laid before the House, for consideration at this time,

H. J. R. No. 1, Ratifying an amendment to the Constitution of the United States of America passed by the Seventy-second Congress of the United States of America at its First Session, begun and held at the city of Washington on Monday, the 7th day of December, 1931, which amendment, in substance, provides and fixes the commencement of the terms of President and Vice-President and members of Congress and fixes the time of the assembling of Congress, and that said amendment shall take effect on the 15th day of October following its ratification; and providing further that this article shall be inoperative unless it shall have been ratified as an amendment to the Constitution within seven years from the date of submission to the States by Congress.

The resolution was read second time and was passed to engrossment by the following vote:

## Yeas—127.

Adams of Harris.	Bradley.
Adams of Jasper.	Brice.
Adamson.	Brooks.
Adkins.	Bryant.
Akin.	Burns of Walker.
Albritton.	Burns
Alsop.	of McCulloch.
Anderson.	Carpenter.
Baker.	Caven.
Barron.	Claunch.
Bedford.	Coltrin.

Coombes.	McCombs.
Cox of Lamar.	McDougald.
Cox of Limestone.	McGill.
Cunningham.	McGregor.
Dale.	Magee.
Daniel.	Martin.
Dodd.	Mathis.
Donnell.	Mehl.
Dowell.	Metcalf.
Duvall.	Moffett.
Engelhard.	Moore.
Farmer.	Morse.
Farrar.	Munson.
Ferguson.	Murphy.
Finn.	Nicholson.
Forbes.	Olsen.
Ford.	Patterson.
Fuchs.	Petsch.
Gilbert.	Pope.
Giles.	Ramsey.
Goodman.	Ratliff.
Graves.	Ray.
Greathouse.	Reader.
Grogan.	Richardson.
Hanson.	Rogers.
Hardy.	Rountree.
Harman.	Sanders.
Harrison	Satterwhite.
of El Paso.	Savage.
Hefley.	Scott.
Herzik.	Shelton.
Hill.	Sherrill.
Holland.	Smith of Bastrop.
Holloway.	Smith of Wood.
Hoskins.	Sparkman.
Howsley.	Stephens.
Hubbard.	Stevenson.
Hughes.	Steward.
Jackson.	Strong.
Johnson	Sullivan.
of Dallam.	Tarwater.
Johnson	Terrell
of Dimmit.	of Val Verde.
Jones of Shelby.	Towery.
Jones of Atascosa.	Turner.
Justiss.	Van Zandt.
Kayton.	Vaughan.
Keller.	Wagstaff.
Kennedy.	Walker.
Laird.	Warwick.
Lasseter.	Weinert.
Lee.	West of Coryell.
Lemens.	Wiggs.
Leonard.	Wyatt.
Lilley.	Young.

Nays—1.

Fisher.

Absent.

Beck.	Lockhart.
Bond.	Terrell
Davis.	of Cherokee.
Dunlap.	West of Cameron.
Dwyer.	Westbrook.
Hines.	

Absent—Excused.

Bounds.	Holder.
Boyd.	Long.
Elliott.	O'Quinn.
Harrison	
of Waller.	

HOUSE JOINT RESOLUTION NO.  
1 ON THIRD READING.

Mr. Metcalfe moved that the constitutional rule requiring bills to be read on three several days be suspended, and that House joint resolution No. 1 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—118.

Adams of Harris.	Hardy.
Adams of Jasper.	Harman.
Adamson.	Harrison
Adkins.	of El Paso.
Akin.	Hefley.
Albritton.	Herzik.
Alsup.	Hill.
Anderson.	Holland.
Baker.	Holloway.
Bedford.	Hoskins.
Bradley.	Howsley.
Brice.	Hughes.
Brooks.	Jackson.
Bryant.	Johnson
Burns of Walker.	of Dallam.
Burns	Jones of Shlbey.
of McCulloch.	Jones of Atascosa.
Carpenter.	Justiss.
Caven.	Kayton.
Claunch.	Keller.
Coltrin.	Kennedy.
Coombes.	Laird.
Cox of Lamar.	Lasseter.
Cox of Limestone.	Lee.
Cunningham.	Lemens.
Dale.	Lilley.
Daniel.	McCombs.
Dodd.	McDougald.
Donnell.	McGill.
Dowell.	McGregor.
Engelhard.	Magee.
Farmer.	Martin.
Farrar.	Mathis.
Ferguson.	Mehl.
Finn.	Metcalf.
Forbes.	Moffett.
Ford.	Moore.
Fuchs.	Morse.
Gilbert.	Munson.
Giles.	Murphy.
Goodman.	Nicholson.
Graves.	Olsen.
Greathouse.	Patterson.
Grogan.	Petsch.
Hanson.	Pope.

Ramsey.	Sullivant.
Ratliff.	Tarwater.
Ray.	Terrell
Reader.	of Val Verde.
Richardson.	Towery.
Rogers.	Turner.
Rountree.	Van Zandt.
Sanders.	Vaughan.
Savage.	Wagstaff.
Scott.	Walker.
Shelton.	Warwick.
Sherrill.	Weinert.
Smith of Bastrop.	West of Coryell.
Smith of Wood.	Wiggs.
Sparkman.	Wyatt.
Steward.	Young.

## Nays—1.

Fisher.

## Absent.

Barron.	Leonard.
Beck.	Lockhart.
Bond.	Satterwhite.
Davis.	Stephens.
Dunlap.	Stevenson.
Duvall.	Strong.
Dwyer.	Terrell
Hines.	of Cherokee.
Hubbard.	West of Cameron.
Johnson	Westbrook.
of Dimmit.	

## Absent—Excused.

Bounds.	Holder.
Boyd.	Long.
Elliott.	O'Quinn.

Harrison of Waller.

The Speaker then laid House joint resolution No. 1 before the House on its third reading and final passage.

The resolution was read third time and was passed by the following vote:

## Yeas—121.

Adams of Harris.	Cox of Lamar.
Adams of Jasper.	Cox of Limestone.
Adamson.	Cunningham.
Akin.	Dale.
Albritton.	Daniel.
Alsup.	Dodd.
Anderson.	Donnell.
Baker.	Dowell.
Bedford.	Elliott.
Bradley.	Engelhard.
Brice.	Farmer.
Brooks.	Farrar.
Bryant.	Ferguson.
Burns of Walker.	Finn.
Burns	Fisher.
of McCulloch.	Forbes.
Carpenter.	Ford.
Caven.	Fuchs.
Claunch.	Gilbert.
Coltrin.	Giles.
Coombes.	Goodman.

Graves.	Murphy.
Greathouse.	Nicholson.
Grogan.	Olsen.
Hanson.	Patterson.
Hardy.	Petsch.
Harman.	Pope.
Harrison	Ramsey.
of El Paso.	Ratliff.
Hefley.	Ray.
Herzik.	Reader.
Hill.	Richardson.
Hines.	Rogers.
Holland.	Rountree.
Holloway.	Sanders.
Howsley.	Satterwhite.
Hubbard.	Savage.
Hughes.	Scott.
Johnson	Shelton.
of Dallam.	Sherrill.
Jones of Shelby.	Smith of Bastrop.
Jones of Atascosa.	Smith of Wood.
Justiss.	Sparkman.
Kayton.	Stephens.
Keller.	Stevenson.
Kennedy.	Steward.
Laird.	Strong.
Lasseter.	Sullivant.
Lee.	Tarwater.
Lemens.	Terrell
Lilley.	of Val Verde.
McCombs.	Towery.
McDougald.	Turner.
McGill.	Van Zandt.
McGregor.	Vaughan.
Magee.	Wagstaff.
Martin.	Walker.
Mehl.	Warwick.
Metcalfe.	Weinert.
Moffett.	West of Coryell.
Moore.	Wiggs.
Morse.	Young.
Munson.	

## Absent.

Adkins.	Johnson
Barron.	of Dimmit.
Beck.	Leonard.
Bond.	Lockhart.
Davis.	Mathis.
Dunlap.	Terrell
Duvall.	of Cherokee.
Dwyer.	West of Cameron.
Hoskins.	Westbrook.
Jackson.	Wyatt.

## Absent—Excused.

Bounds.	Holder.
Boyd.	Long.
Harrison	O'Quinn.
of Waller.	

## MESSAGE FROM THE SENATE.

Senate Chamber,  
Austin, Texas, September 1, 1932.  
Hon. Fred H. Minor, Speaker of the  
House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted

H. C. R. No. 1, Relating to the mileage and per diem of the members of the Forty-second Legislature, with amendment.

Respectfully,  
BOB BARKER,  
Secretary of the Senate.

#### RELATIVE TO THE CONSIDERATION OF RESOLUTIONS.

Mr. Albritton moved that the House rule which relates to the time allotted for the consideration of resolutions be suspended at this time for the purpose of further considering resolutions.

The motion prevailed.

#### RELATIVE TO THE BUILDING OF STATE HIGHWAYS.

Mr. Hanson offered the following resolution:

H. C. R. No. 5, Relative to the building of highways.

Whereas, The State of Texas, equally with the nation, is suffering from the effects of an unparalleled depression in business and the most serious economic conditions which have existed in this State and this nation for many years; and

Whereas, The homes and real property of the taxpayers of this State are burdened with a bonded indebtedness created for the construction of highways in this State; and

Whereas, This Special Session of the Legislature has been called, among other things, to relieve the taxpayers of this State from the burdens of such highway construction bonds; and

Whereas, The State Highway Department has been engaged in a program of widening and straightening existing roads, and in some instances of constructing roads paralleling with roads, which have some character of asphalt, or other and higher types of paving; and

Whereas, There are many State designated highways within the State containing gaps where there is no character of paving and there are sections of the State, and many counties thereof, which have no character of paving whatsoever therein, although there may be State designated highways with some character of improvement thereon; now, therefore, be it

Resolved, That it is the judgment of the House of Representatives, the Senate concurring, that the State Highway Department should so alter and change its policy as to entirely eliminate the building of paved roads paralleling roads that have any character of asphalt or a higher type of paving thereon, or the straightening of any such roads so as to eliminate sectors and sections of such improved roads or highways. And that it be declared to be the policy of the State of Texas to be made effective by the State Highway Department of the State of Texas to fill in existing unpaved gaps in existing State highways, and to construct so far as possible with funds available, pavement upon those State designated highways that are not now paved, and to complete so far as possible the paving of the existing and now designated State Highway System.

The resolution was read second time.

On motion of Mr. Hanson the resolution was referred to the Committee on Highways and Motor Traffic.

#### RELATIVE TO THE REPEAL OF THE EIGHTEENTH AMENDMENT.

Mr. Keller offered the following resolution:

H. C. R. No. 6, Relative to the repeal of the Eighteenth Amendment.

Whereas, It has forever been the principle of Democracy that the sovereign power should be placed in and retained by the States; and

Whereas, During the past years several amendments have been made to the Federal Constitution which violate this principle, among which is the Eighteenth Amendment; and

Whereas, The Democratic Party did in National Convention adopt a plank in this platform calling for the submission of the repeal of the Eighteenth Amendment; and

Whereas, The President of the United States, the Honorable Herbert Hoover, did break his long silence on this question by saying that he thought some change ought to be made; and

Whereas, The State Democratic Executive Committee in the recent Democratic Primary, July 23, 1932, submitted to the people of the State of Texas the question of the repeal of

the Eighteenth Amendment and the people of this State overwhelmingly voted favorable upon such question; and

Whereas, It is the obligation and duty of each public official to properly serve the wishes and desires of their constituents as this is the basis and foundation upon which these United States and the type of government in operation therein is based and founded and it was for these principles that our forefathers laid down their lives in order that tyrannical and oppressive regulations contrary to their belief and to the principles of their present government should not continue to exist; therefore, be it

Resolved by the House of Representatives of Texas, the Senate of said State concurring, Do hereby request and urge the United States Representatives and Senators from Texas to vote for such resolutions, bills or amendments thereto as is necessary in order to submit to the people of these United States, the question of repealing the Eighteenth Amendment; be it further

Resolved, That copies of this resolution be mailed to each Senator and Representative from this State.

KELLER,  
HARRISON of El Paso,  
ANDERSON,  
BEDFORD,  
KAYTON,  
MRS. MOORE,  
MATHIS,  
READER.

The resolution was read second time.

(Pending consideration of the resolution Mr. Young occupied the chair temporarily.)

(Speaker in the chair.)

Mr. Graves moved that further consideration of the resolution be postponed indefinitely.

Yeas and nays were demanded and the motion prevailed by the following vote:

#### Yeas—69.

Adams of Harris.	Carpenter.
Adams of Jasper.	Caven.
Adamson.	Claunch.
Alsup.	Coltrin.
Brice.	Coombes.
Bryant.	Cox of Lamar.
Burns of Walker.	Cox of Limestone.
Burns	Dale.
of McCulloch.	Daniel.

Davis.	Lilley.
Dodd.	McDougald.
Donnell.	Magee.
Dowell.	Metcalfe.
Farmer.	Moffett.
Ferguson.	Ratliff.
Finn.	Richardson.
Fisher.	Rogers.
Forbes.	Rountree.
Giles.	Satterwhite.
Goodman.	Savage.
Graves.	Scott.
Greathouse.	Shelton.
Hanson.	Sherrill.
Hoskins.	Sparkman.
Howsley.	Stephens.
Hubbard.	Strong.
Johnson	Tarwater.
of Dallam.	Towery.
Johnson	Van Zandt.
of Dimmit.	Vaughan.
Jones of Shelby.	Wagstaff.
Jones of Atascosa.	Walker.
Justiss.	Warwick.
Kennedy.	West of Coryell.
Lee.	Wiggs.
Lemens.	Young.

#### Nays—44.

Adkins.	McCombs.
Akin.	McGill.
Albritton.	McGregor.
Anderson.	Martin.
Baker.	Mathis.
Beck.	Mehl.
Bedford.	Moore.
Bradley.	Morse.
Duvall.	Munson.
Fuchs.	Murphy.
Gilbert.	Nicholson.
Grogan.	Olsen.
Harrison	Patterson.
of El Paso.	Ramsey.
Hefley.	Reader.
Herzik.	Sanders.
Hill.	Smith of Bastrop.
Holland.	Smith of Wood.
Hughes.	Steward.
Kayton.	Terrell
Keller.	of Cherokee.
Laird.	Turner.
Lockhart.	Weinert.

#### Present—Not Voting.

Farrar.	Hines.
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#### Absent.

Barron.	Hardy.
Bond.	Harman.
Brooks.	Holloway.
Cunningham.	Jackson.
Dunlap.	Lasseter.
Dwyer.	Leonard.
Engelhard.	Petsch.
Ford.	Pope.

Ray.	West of Cameron.
Stevenson.	Westbrook.
Sullivant.	Wyatt.
Terrell of Val Verde.	

## Absent—Excused.

Bounds.	Holder.
Boyd.	Long.
Elliott.	O'Quinn.
Harrison of Waller.	

Mr. Kennedy moved to reconsider the vote by which the resolution was postponed indefinitely and to table the motion to reconsider.

The motion to table prevailed.

## REASON FOR VOTE.

I vote to postpone indefinitely. I think this resolution is nothing more than a political move and is clearly beyond the jurisdiction of this body. My Congressman is as well informed in this matter of repeal as I am and were I in his place I would consider the will of the people of my district and not the will of the Legislature of my State. I believe our liquor laws should be referred to the people for their decision; however, I don't think this Legislature should undertake, at this time, to dictate so soon after the people have spoken on the question in the last primary of this State. If I were in my Congressman's position I would give great weight to the vote in this primary and vote accordingly.

WALKER.

I vote "aye" on the resolution for the reason that the people of Texas have voted overwhelmingly in favor of submission. I am willing for the question to be submitted, maintaining my life-long position as favoring prohibition and personally opposed to the repeal of the Eighteenth Amendment.

GILBERT.

Ellis county did not vote on submission of Eighteenth Amendment. Having no instructions I voted "present."

FARRAR.

Mr. Justiss submitted the following reason for vote on House concurrent resolution No. 6:

Navarro county did not vote on submission on July 23, and the last

vote in Navarro county was for prohibition, and I voted to postpone the resolution.

JUSTISS.

## MESSAGE FROM THE GOVERNOR.

Mr. Pat Daugherty, Secretary to the Governor, appeared at the bar of the House, and being duly announced, presented the following message from the Governor, which was read to the House, as follows:

Executive Office,

Austin, Texas, September 1, 1932.

To the Members of the Forty-second Legislature:

By reason of the fact that a great hurricane swept Brazoria county on August 13, 1932, and destroyed property values in excess of a million dollars and practically wiped out the school buildings in the West Columbia Independent School District at West Columbia, Texas, and the Brazoria Independent School District at Brazoria, Texas, and on account of the inability of the people to repair and reconstruct said buildings, and on account of the districts being unable to further bond themselves, and on account of the approaching school terms being in the immediate present, creates an emergency, and by reason of said calamity and by precedent heretofore established, it seems proper that the State should aid in the repair and reconstruction of said buildings.

The bills hereto attached on these subjects are submitted for your consideration.

Respectfully submitted,

R. S. STERLING,

Governor.

## ADJOURNMENT.

On motion of Mr. Patterson, the House, at 11:30 o'clock a. m., adjourned until 10 o'clock a. m. tomorrow.

## APPENDIX.

## STANDING COMMITTEE REPORTS.

The following committees have today filed favorable reports on bills as follows:

Game and Fisheries: House bills Nos. 22, 26, 28, 29 and 34.



# In Memory of Hon. Phil H. Clements

Mr. Metcalfe offered the following resolution:

Whereas, On Wednesday, the 17th of August, 1932, in the city of Goldthwaite, the Hon. Phil H. Clements, in his seventy-eighth year, passed to his great reward; and

Whereas, The said Phil H. Clements had a long and distinguished career in the public service of Texas.

In 1887 he worked before the Legislature of Texas and was largely responsible for the creation of Mills county, and after its creation became its first county clerk, later serving as county judge. He was later elected and served in the House of Representatives as a member of the Twenty-sixth, Twenty-seventh and Thirtieth Legislatures. He served as Postmaster at Goldthwaite during the Wilson administration. At the Regular Session of the Forty-first Legislature he was elected Doorkeeper in the House of Representatives and continued to serve as such until the time of his death.

While serving in the Legislature the question of selecting a State flower came up for consideration, and having offered the open cotton boll as a suggestion, and learning that a number of societies composed of women were sponsoring the bluebonnet, he gracefully yielded to the bluebonnet resolution and offered the following lines in explanation:

Oh, list to the sonnet  
Of the bonnie bluebonnet  
That grows to perfection in Mills;  
With red, white and blue  
All mingled in hue,  
It beautifies valley and hills.  
  
When first song of bird  
In springtime is heard,  
We hail the sweet breath of the flower;  
Sweeter far than the rose,  
Wherever it grows,  
On hilltop, in valley or bower.  
  
Sweet flower, now legal  
Though cotton's more regal  
I bow to the will of the many;  
When lady and lover  
Resolve for the clover  
I'll amend it again—not any.

Mr. Clements was long recognized as a profound student of government, and few men have served their State and county more faithfully or to better advantage than he; now, therefore, be it

Resolved by the House of Representatives, That we extend our sincere sympathy to his family; and be it further

Resolved, That a page in the Journal be set aside for the record of this resolution, and that the Chief Clerk of the House be directed to send an enrolled copy of this resolution to the family of the deceased; and be it further

Resolved, That when the House adjourns today it be in honor of his memory.

METCALFE,	GILBERT,
DAVIS,	BEDFORD,
SAVAGE,	WEST of Coryell.
ROUNTREE,	

Signed—Minor, Speaker; Adams of Harris, Adams of Jasper, Adamson, Adkins, Akin, Alsop, Albritton, Anderson, Baker, Barron, Beck, Bond, Bounds, Boyd, Bradley, Brice, Brooks, Bryant, Burns of Walker, Carpenter, Caven, Claunch, Coltrin, Coombes, Cox of Lamar, Cox of Limestone, Cunningham, Dale, Daniel, Dodd, Donnell, Dowell, Dunlap, Duvall, Dwyer, Elliott, Engelhard, Farmer, Farrar, Ferguson, Finn, Fisher, Forbes, Ford, Fuchs, Gilbert, Giles, Goodman, Graves, Greathouse, Grogan, Hanson, Hardy, Harman, Harrison of El Paso, Harrison of Waller, Hefley, Herzik, Hill, Hines, Holder, Holland, Holloway, Hoskins, Howsley, Hubbard, Hughes, Jackson, Jones of Shelby, Jones of Atascosa, Johnson of Dallam, Johnson of Dimmit, Justiss, Kayton, Keller, Kennedy, Laird, Lasseter, Lee, Lemens, Leonard, Lilley Lockhart, Long, McCombs, McDougald, Magee, McGill, McGregor, Martin, Mathis, Mehl, Moffett, Moore, Morse, Munson, Murphy, Nicholson, Olsen, O'Quinn, Patterson, Petsch, Pope, Ramsey, Ratliff, Ray, Reader, Richardson, Rogers, Sanders, Satterwhite, Scott, Shelton, Sherrill, Smith of Bastrop, Smith of Wood, Sparkman, Stephens, Stevenson, Steward, Strong, Sullivan, Tarwater, Terrell of Cherokee, Terrell of Val Verde, Towery, Turner, Van Zandt, Vaughan, Wagstaff, Walker, Warwick, Weinert, West of Cameron, Westbrook, Wiggs, Wyatt, Young.

The resolution was read second time.

On motion of Mr. Forbes, the names of all members of the House were added to the resolution as signers thereof.

The resolution was then adopted by a rising vote.

**In Memory**  
**of**  
**Walter Jno. Harman**

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Mr. Ford offered the following resolution:

Whereas, On June 28, 1932, Walter John Harman, fourteen-year-old son of the Hon. W. M. Harman and Mrs. Agnes Harman of Waco, departed from this life as the result of an automobile accident; and

Whereas, The death of this splendid young man has cast a cloud of sorrow over the lives of our friend and colleague and his family. Be it, therefore,

Resolved by the House of Representatives of the State of Texas, That its sympathy be extended to Mr. and Mrs. Harman and the surviving brothers and sister; and be it further

Resolved, That a copy of this resolution be printed in the House Journal and that a separate authenticated copy be sent by the Clerk of the House to Mr. Harman and to each member of his family.

FORD,  
WESTBROOK,  
MURPHY,  
GROGAN.

Signed—Minor, Speaker; Adams of Harris, Adams of Jasper, Adamson, Adkins, Akin, Alsup, Albritton, Anderson, Baker, Barron, Beck, Bedford, Bond, Bounds, Boyd, Bradley, Brice, Brooks, Bryant, Burns of Walker, Burns of McCulloch, Carpenter, Caven, Claunch, Coltrin, Coombes, Cox of Lamar, Cox of Limestone, Cunningham, Dale, Daniel, Davis, Dodd, Donnell, Dowell, Dunlap, Duvall, Dwyer, Elliott, Engelhard, Farmer, Farrar, Ferguson, Finn, Fisher, Forbes, Fuchs, Gilbert, Giles, Goodman, Graves, Greathouse, Hanson, Hardy, Harman, Harrison of El Paso, Harrison of Waller, Hefley, Herzik, Hill, Hines, Holder, Holland, Holloway, Hoskins, Howsley, Hubbard, Hughes, Jackson, Jones of Shelby, Jones of Atascosa, Johnson of Dallam, Johnson of Dimmit, Justiss, Kayton, Keller, Kennedy, Laird, Lassetter, Lee, Lemens, Leonard, Lilley, Lockhart, Long, McCombs, McDougald, Magee, McGill, McGregor, Martin, Mathis, Mehl, Metcalfe, Moffett, Moore, Morse, Munson, Nicholson, Olsen, O'Quinn, Patterson, Petsch, Pope, Ramsey, Ratliff, Ray, Reader, Richardson, Rogers, Rountree, Sanders, Satterwhite, Savage, Scott, Shelton, Sherrill, Smith of Bastrop, Smith of Wood, Sparkman, Stephens, Stevenson, Steward, Strong, Sullivant, Tarwater, Terrell of Cherokee, Terrell of Val Verde, Towery, Turner, Van Zandt, Vaughan, Wagstaff, Walker, Warwick, Weinert, West of Coryell, West of Cameron, Wiggs, Wyatt, Young.

The resolution was read second time.

On motion of Mr. Vaughan, the names of all members of the House were added to the resolution as signers thereof.

The resolution was then adopted by a rising vote.

**In Memory**  
**of**  
**Hon. Frank H. Burmeister**

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Mr. Jones of Atascosa offered the following resolution:

Whereas, Since this Legislature was last in session the Great Architect of the Universe called from the walks of man Hon. Frank H. Burmeister of McMullen county, Texas; and

Whereas, Hon. Frank H. Burmeister served with distinction in the Twenty-third, Thirty-third, Thirty-fourth, Thirty-seventh and Thirty-eighth Legislatures of Texas; and

Whereas, During such service he was recognized as one of the most able debaters and capable parliamentarians ever to grace the halls of the Legislature; and

Whereas, In addition to a service in the Legislature he was a distinguished jurist, able lawyer and a citizen of sterling worth; and

Whereas, In the loss of Judge Burmeister, Texas has lost a faithful citizen, McMullen county an advocate scholar and friend and his family a husband and father of the highest and purest type; therefore, be it

Resolved by the House of Representatives of the State of Texas, That this body deplores the passing of this distinguished patriot and extends to the family of the deceased its sympathy in their bereavement; and be it further

Resolved, That a copy of this resolution be printed in the House Journal and a copy properly attested by the Chief Clerk of the House be sent to Mrs. Frank H. Burmeister, at Cross, Texas, and that when the House adjourns today it do so in honor of this worthy citizen of Texas.

JONES of Atascosa,  
YOUNG,  
SATTERWHITE.

Signed—Minor, Speaker; Adams of Harris, Adams of Jasper, Adamson, Adkins, Akin, Alsup, Albritton, Anderson, Baker, Barron, Beck, Bedford, Bond, Bounds, Boyd, Bradley, Brice, Brooks, Bryant, Burns of Walker, Burns of McCulloch, Carpenter, Caven, Claunch, Coltrin, Coombes, Cox of Lamar, Cox of Limestone, Cunningham, Dale, Daniel, Davis, Dodd, Donnell, Dowell, Dunlap, Duvall, Dwyer, Elliott, Engelhard, Farmer, Farrar, Ferguson, Finn, Fisher, Forbes, Ford, Fuchs, Gilbert, Giles, Goodman, Graves, Greathouse, Grogan, Hanson, Hardy, Harman, Harrison of El Paso, Harrison of Waller, Hefley, Herzik, Hill, Hines, Holder, Holland, Holloway, Hoskins, Howsley, Hubbard Hughes, Jackson, Jones of Shelby, Johnson of Dallam, Johnson of Dimmit, Justiss, Kayton, Keller, Kennedy, Laird, Lasseter, Lee, Lemens, Leonard, Lilley, Lockhart, Long, McCoombs, McDougald, Magee, McGill, McGregor, Martin, Mathis, Mehl, Metcalfe, Moffett, Moore, Morse, Munson, Murphy, Nicholson, Olsen, O'Quinn, Patterson, Petsch, Pope, Ramsey, Ratliff, Ray, Reader, Richardson, Rogers, Rountree, Sanders, Savage, Scott, Shelton, Sherrill, Smith of Bastrop, Smith of Wood, Sparkman, Stephens, Stevenson, Steward, Strong Sullivan, Tarwater, Terrell of Cherokee, Terrell of Val Verde, Towery, Turner, Van Zandt, Vaughan, Wagstaff, Walker, Warwick, Weinert, West of Coryell, West of Cameron, Westbrook, Wiggs, Wyatt.

The resolution was read second time.

On motion of Mr. Carpenter, the names of all the members of the House were added to the resolution as signers thereof.

The resolution was then adopted by a rising vote.

# In Memory of Capt. William A. Fields

Mr. Donnell offered the following resolution:

Whereas, Our Supreme Ruler saw fit to call to his eternal reward Captain William A. Fields of Hillsboro, Texas, on August 25, 1932, a former member of this body and one of the outstanding citizens of Texas; a man who stood out among his fellowmen and the membership of this body for his constructive work as a moulder of opinion through his editorial work on newspapers in several counties of the State in crystalizing those opinions into the enactment of laws during the Twenty-third, Twenty-fifth, Thirty-eighth and Thirty-ninth Legislatures; and

Whereas, Captain Fields, while editor of a newspaper in Hillsboro, was appointed as private secretary to United States Senator Culberson and while serving in that capacity acted as Staff Correspondent of the Dallas News and later as Congressional Librarian; therefore, be it

Resolved by the House of Representatives, That the sympathy of this body be extended to his children who survive him, and that a page of the House Journal be dedicated to his memory, that a copy of this resolution be mailed, by the Chief Clerk, to each surviving member of his family and that when the House adjourns today it do so out of honor and respect to Captain Fields' memory.

DONNELL,  
ALBRITTON,  
BRYANT,  
DALE,  
MCGILL,  
SATTERWHITE,

SPARKMAN,  
BEDFORD,  
COX of Lamar,  
FARRAR,  
NICHOLSON,  
YOUNG,

HARMAN,  
KAYTON,  
LAIRD,  
McDOUGALD,  
PETSCH.

Signed—Minor, Speaker; Adams of Harris, Adams of Jasper, Adamson, Adkins, Akin, Alsup, Anderson, Baker, Barron, Beck, Bond, Bounds, Boyd, Bradley, Brice, Brooks, Burns of Walker, Burns of McCulloch, Carpenter, Caven, Claunch, Coltrin, Coombes, Cox of Limestone, Cunningham, Daniel, Davis, Dodd, Dowell, Dunlap, Duvall, Dwyer, Elliott, Engelhard, Farmer, Ferguson, Finn, Fisher, Forbes, Ford, Fuchs, Gilbert, Giles, Goodman, Graves, Greathouse, Grogan, Hanson, Hardy, Harrison of El Paso, Harrison of Waller, Hefley, Herzik, Hill, Hines, Holder, Holland, Holloway, Hoskins, Howsley, Hubbard, Hughes, Jackson, Jones of Shelby, Jones of Atascosa, Johnson of Dallam, Johnson of Dimmit, Justiss, Keller, Kennedy, Lasseter, Lee, Lemens, Leonard, Lilley, Lockhart, Long, McCombs, Magee, McGregor, Martin, Mathis, Mehl, Metcalfe, Moffett, Moore, Morse, Munson, Murphy, Olsen, O'Quinn, Patterson, Pope, Ramsey, Ratliff, Ray, Reader, Richardson, Rogers, Rountree, Sanders, Savage, Scott, Shelton, Sherrill, Smith of Bastrop, Smith of Wood, Stephens, Stevenson, Steward, Strong, Sullivant, Tarwater, Terrell of Cherokee, Terrell of Val Verde, Towery, Turner, Van Zandt, Vaughan, Wagstaff, Walker, Warwick, Weinert, West of Coryell, West of Cameron, Westbrook, Wiggs, Wyatt.

The resolution was read second time.

On motion of Mr. Justiss, the names of all the members of the House were added to the resolution as signers thereof.

The resolution was then adopted by a rising vote.